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K.S.R. 516

File No. Est. II. L.C./42

Legal DEPARTMENT

C BRANCH

p.36 (E) 1942

Subject:—

Correspondence relating to the Establishment of L.C. Office.

File No.
Stl. Sectt. Slip 24 B. e.

Est. II. L.C./42

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BKS. 22/5/ 5c.

K.S.R 30/5

No. 1805

Legal Department.

Bombay Castle, 29th February 1942.

Subject:- Recovery of Rs.2,005-5-0 being the amount of excess leave salary drawn by Mr. R.V.Kaikini.

MEMORANDUM.

The undersigned presents compliments to the Accountant General, Bombay, and in modification of letter No.677, dated the 22nd September 1941 from the Secretary to the Bombay Legislative Assembly, on the above subject, is directed to state that Government is pleased to relax rule ¾ 736 of the Bombay Civil Services Rules in the case of Mr. R.V.Kaikini, retired Chief Reporter of the Bombay Legislative Assembly Office and to waive recovery from him to the extent of half the amount that had been paid to him in excess as leave salary.

2. The Accountant General is therefore requested to take necessary steps to recover only one half of the amount of the excess leave salary by deducting the same in the usual manner from Mr. Kaikini's pension whensanctioned unless he refunds the same in a lump sum.

By order of the Governor of Bombay,

Sd/- N.U.D
25/2
For Secretary to Government.

To

The Accountant General, Bombay (through F.D.).

BKS. 26/5/ 4c.

No.1806

Legal Department.

Bombay Castle, 27th February 1942.

Copy forwarded with compliments for information to-

The Finance Department,

The Secretary, Bombay Legislative Assembly for necessary action (with the papers).

Sd/- W.D
For Secretary to Government.

BKS. 26/5/ 4 c.

5346 61

No. 2585

Legal Department,

Bombay Castle, 17th March 1942.

MEMORANDUM.

With reference to his applications dated the 29th December 1941 and 9th January 1942 for grant of a gratuity Mr. R. V. Kaikini is informed that the Government of India regret their inability to entertain his application for the grant of a gratuity.

By order of the Governor of Bombay,

Sd/- N.R.D.
17/3

For Secretary to the Government of Bombay,
Legal Department.

To

Mr. R. V. Kaikini,
9, Saraswati Sadan,
Vincent Road, Dadar,
BOMBAY.

BKS. 26/5/ 4c.

Establishment.

Sanction tothe temporary transfer of a Reporter from the Legislative Assembly Office to the Office of the Clerk of the Crown, High Court, Bombay.

GOVERNMENT OF BOMBAY.
Legal Department,
Resolution No. 8303
Bombay Castle, 22nd September 1941.

RESOLUTION OF GOVERNMENT.

Resolution.- Sanction is accorded to the transfer of a post of a Reporter on the establishment of the Legislative Assembly Office in the grade of Rs.200-10-400 to the Office of the Clerk of the Crown High Court, Bombay, as a temporary measure during the period the Proclamation issued under section 93 of the Government of India Act,1935, is in force.

By order of the Governor of Bombay,

Sd/-

P. N. MOOS,

For Secretary to the Government of Bombay,
Legal Department.

to

The Prothonotary and Senior Master,
High Court, Bombay (by letter),
The Clerk of the Crown, High Court , Bombay,
The Secretary, Bombay Legislative Assembly,
The Secretary, Bombay Legislative Council,
The Home Department,
The Finance Department,
The Accountant General (through Finance Department).

BKS. 26/5/ 4c.

89 to 93

No.744.

Legislative Assembly office.

Council Hall, Bombay, 22nd October 1941.

From

The Secretary to the Bombay Legislative Assembly;

To

The Clerk of the Crown,

High Court,
Bombay.

Sir,

With reference to Government Resolution , Legal Department , No. 8303, dated the 22nd September 1941, I have the honour to inform you that Mr. B. S. Deshmukh, a reporter in this office, has been relieved from duty and has been asked to report himself on duty in your office with effect from today, the 22nd October 1941. If, however, his services are not required in your office till after the October vacation of the High Court is over, he will be asked to join after the vacation.

2.His last pay certificate and Service Book will follow.

I have the honour to be,
Sir,
Your most obedient servant,

(Sd) S.K.Sheode,

For Secretary to the Bombay Legislative Assembly.

------O------

No.745
Legislative Assembly office.

Council Hall, Bombay, 22nd October 1941.

Copy forwarded with compliments to the Legal Department for information.

Sd/- S.K.Sheode
For Secretary to the Bombay Legislative Assembly.

BKS. 26/5/ 4e.

No. 10189

Legal Department.

Bombay Castle, 27th November 1941.

Memorandum.

The undersigned presents compliments to the Accountant General, Bombay, and is directed to state that pending further orders the services of the following members on the establishment of the Legislative Assembly Office have been placed at the disposal of the Assistant Director General, Cotton Textiles Directorate, Bombay, with effect from the forenoon of the 17th November 1941:-

(1) Mr. B. G. Deshmukh - Reporter

(2) Mr. N. Ramaswamy - Reporter

By order of the Governor of Bombay,

Sd/- S.S.P.
for Secretary to the Government of Bombay,
Legal Department.

To

The Accountant General, Bombay.

Copy to

The Assistant Director General, C.T.Directorate, Bombay,
The Secretary, Bombay Legislative Assembly
The Political and Services Department.

BKS. 26/5/ 4c.

Establishment.

Temporary transfer of a Reporter from the Legislative Assembly Office to the Office of the Clerk of the Crown, High Court, Bombay.

GOVERNMENT OF BOMBAY.
Legal Department.
Resolution No. 2189
Bombay Castle, 11th March 1942.

RESOLUTION OF GOVERNMENT.

Resolution.- Government Resolution No.8303, dated the 23rd September 1941, according sanction to the transfer of a post of a Reporter on the establishment of the Legislative Assembly Office in the grade of Rs.200-10-400 to the Office of the Clerk of the Crown, High Court, Bombay, should be cancelled.

By order of the Governor of Bombay,

Sd/- N.U.D
10/3

for Secretary to the Government of Bombay,
Legal Department.

To
The Prothonotary and Senior Master,
High Court, Bombay (by letter),
The Clerk of the Crown, High Court, Bombay,
The Secretary, Bombay Legislative Assembly,
The Secretary Bombay Legislative Council,
The Home Department,
The Finance Department,
The Accountant General (through Finance Department.)

DRS. 26/5/ 4c.

~~127 to~~ 147

No. 1299

Legal Department.

Bombay Castle, 12th February 1942.

Subject:- Re-fixation of the pay of Mr.B.S.Sabnis, Steward, Legislative Assembly Office.

Memorandum.

The undersigned presents compliments to the Accountant General, Bombay and is directed to state that the pay of Mr. B.S.Sabnis, Steward, Legislative Assembly Office has been refixed as follows:-

	Pay
8-1-1938.	74 plus Re.1/- personal pay
8-1-1939.	77.
8.1.1940.	80.
8-1-1941.	83.
8-1-1942.	86.

and Mr.Sabnis has been allowed to draw pay at the rate of Rs.83/- per month from 8-1-1941 and of Rs.86/- per month from 8-1-1942 in the time-scale of 50-3-95-100-5-160.

2. The charge should be met from the savings anticipated from the provision made in the current year for establishment under 25, General Administration, Bombay Legislative Bodies - Provincial Legislative Assembly.

By order of the Governor of Bombay,

Sd/-R.T.K.
for Secretary to the Government of Bombay,
Legal Department.

To

The Accountant General,
Bombay (through the Finance Department).

Copy to the

Finance Department,
Political & Services Department,
Secretary Bombay Legislative Assembly , Bombay,
Secretary, Bombay Legislative Council, Bombay.

BKS. 26/5/ 4c.

G.D. cannot accept the argument at 'B' of the note of the Assistant Secretary to the Legislative Assembly Office, dated 26th May 1942, at page 17 ante. Carried to its logical conclusion, it means that G.D. has no control whatever over a person actually working under it for the time being. In fact, if the view expressed in that note is accepted, G.D. cannot even grant causal leave to Mr. Risbud or even take him to task malingering or other similar fault.

2. I kept these papers with me to find out on what terms the services of Mr. Risbud were made available to this Department , but the office has been unable to trace them.

3. So far as I am aware, owing to the situation created by the bringing into operation of the provisions of section 93 of the Government of India Act, 1935, a number of members of the staff of the L.A.Office,including short-hand reporters, was without work, and the services of such members were made available to other departments which required additional staff, the sole object being to economise Government expenditure

4. In this particular case, G.D. would have employed another stenographer over whom it would have had full control,if the services of Mr. Risbud were not made available by the L.A. office. The mere fact that Mr. Risbud's salary is paid from the L.A. office grant is no adequate ground for demanding that the Department under which he is working at present cannot take even routine action such as sending him before the Presidency Surgeon when he remained absent without leave and without even producing a proper medical certificate.

5. In his letter, dated the 3rd May May 1942, Mr. Risbud stated that his doctor had advised him to take leave for about 15 days. Actually, when he was asked to produce a medical certificate, his family doctor recommended the grant of leave to him for only fr

1-5-1942. Neverthless Mr Risb

BKS. 26/5/ 4c.

absent from office without leave, and, in the circumstances, G.D. was prfectly justified in sending him before the Presidency Surgeon for examination. I do not know what other action the L.A.O. would have taken in such a case, but I feel that its insistence on the point that G.D. should have consulted it before sending Mr. Risburd before the Presidency Surgeon for examination is somewhat unreasonable. As a matter of fact, the Presidency Surgeon kept Mr. Risbud for observation at the J.J. Hospital for a period of four days and then certified him as fit to resume duty.

6. I could have understood if the L.A.O. had suggested that, in case any disciplinary action was to be taken against Mr. Risbud under the Bombay Civil Services (Conduct, Discipline and Appeal) Rules, it should be consulted first. In fact in such cases, the G.D. would send its report to that office for the necessary action, but it is obvious that in all ordinary matters such as the grant of casual leave, sending before the Presidency Surgeon in a case of this kind, etc. the Department under which the Government servant is actually working should have a freehand. This is actually the procedure followed when a Government servant is transferred to foreign service, and a Government Department should have at lease as much control over a Government servant lent to ~~him~~ it by another Department as a foreign employer.

7. As the case is of general interest and involves the question of the powers which Secretariat Departments can exercise over personnel temporarily transferred to them by the L.A.Office, I suggest that the case may be submitted to the C.S. for his orders.

Id.K.B.K.
15.6.42

Secy.

G.D. cannot get adequate work out of the staff lent to G.D. if it cannot even send an appointment for leave for medical examination. What control over such staff is L.D. prepared to entrust to G.D?

Id. K.L.P.
18-6-42.

Secy., L.D.

234-Confl.
20/6

Perhaps it is not necessary to send the G.D. papers to L.A.Office.

Submitted.

2. In the first instance, the L.A. Office may be requested to state the circumstances and conditions under which the services of Mr.Risbud were lent to the G.D.

Sd/-
23-6-42

Supdt Sd/-J.D.
23/6

S.A.S. Sd/-S.B.P.
23/6

A.L.R. Sd/-R.S.H.
23/6

D.S. Sd/-M.R.D.
23/6

U.O. to L.A.Office.No. 5164 dt.24/6/42

L.A.Office.

A copy of G.D.'s requisition dated 20-12-1939 and this office reply thereto deputing Mr. Risbud to G.D. is sent herewith. That will explain the position.

Sd/-
25/6

A.S. Sd/-
25/6

U.R. to L.D.No.459 Dt. 26-6-42.

Submitted with reference to office note dated 23-6-42.

Sd/-
26-6-42

Submitted.

2. From the copy of the G.D's requisition and the reply of the L.A. Office thereto, it will be seen that Mr. Risbud has been sent on deputation to the G.D. (p. 25 post). (These notes however do not explain the position clearly as stated by the A.S., L.A.).

A.S., L.A).

3. There appears to be much force in the arguments advanced by the Asstt. Director, Civil Supplies in his note at pp. 19-21 ante. As observed above Mr. Risbud is on deputation to the G.D. and as such will be governed by the rules and conditions of service in force for the time in that Department.

4. As regards the query raised by Secy., G.D., perhaps the papers may be sent to the A.S., L.A. and he may be requested to note on the point raised therein. | A

Sd/- J.D.
29/6

S.A.S. Sd/- S.B.P.
29/6

A.L.R. Some department must have control over Mr. Risbud & I think that clearly the most suitable dept. is that mr one for which he works by the G.D. There is no need for L.A. to be jealous of its nights in this matter. The important thing is that Clerks & others on deputation should not be tempted to think that deputation gives scope for slackness. The other week there was an alleged case of another reporter on deputation slacking. But m A may be dmem done.

Sd/- R.S.H.
1/7

BKS. 28/5/ 4c.

General Department.

Genx.

In the papers (S.70-G) relating to the staff required for work under the Controller of Prices this Department proposed that a Stenographer on the Secretariat scale of pay should be recruited by advertisement for work under the Price Control Section. The F.D., however, is of the view that there is hardly any necessity for creating a full-time post of Stenographer and has suggested that the Controller's section may either utilise the services of this Department Secy's Stenographer or the services of one of the Assembly Reporters may be requisitioned for the work. The Secretary's Stenographer , in addition to his normal work of taking shorthand notes from Secretary, has very often to take dictation from Joint Secretary and sometimes from the Senior ~~xxx~~ Assistant Secretary, and his time is accordingly fully occupied, and it is therefore not possible to assign x any additional work to him. In the circumstances, the F.D.'s alternative suggestion may be accepted and the Secretary to the Legislative Assembly may be requested x u.o. to be so good as to depute very urgently one of the Assembly reporters for work in the Price Control Section.

Sd.
20-12-1939.

Sd.
20-12-39.

u.o.r. to Sec.L.A. d/-20-12-1939.

L.A. Office.

Mr. Risbud , one of the regional language reporters, who can write English shorthand as well, will be deputed to the General Department, from the 3rd January 1940, for work in the Price Control Section.

Sd.
For Sec.L.A.

U. R. to the General Department.

No. dated the December 1939.

BKS. 28/5/40.

Resubmitted.

2. Mr. Risbud applied for casual leave for 4 days on 2-5-42 and on 3-5-42 he applied for earned leave for 15 days with effect from 5th May 1942. The G.D. asked him on 4th May 1942 to produce m.c. as per rule 3(3) of Chapter I of the Secretariat Instructions as the casual leave asked for was more than 3 days.

3. The earned leave asked for by Mr. Risbud was not on medical grounds and did not need a medical certificate in support of his request for leave. It seems that the G.D. sent him to the Presidency Surgeon as per rule 674 (b) of the B.C S.Rs. Manual which was not a correct procedure as rule 674 has no application to a request for the grant of earned leave; and besides even if rule 674 applied, "the competent authority to sanction the leave" in this case within the meaning of rule 674 is the Secy.,L.D. This view has been accepted vide the Assistant Director of Civil Supplies' note dated 21-5-42 and the note of G.D.

4. As regards Secy., G.D's note it may be stated that this Department is prepared to entrust to G.D. full control over the establishment lent by this Department provided G.D. is prepared to accept the services of such staff as on full deputation (i.e. G.D. accepts the liability as regards pay of such staff, etc.) in consultation with the F.D.

Id. J.D. 3-7-42

S.A.S.

Id. S.B.P.
3-7-42

BKS. 28/5/ 40.

A.L.R.

I think G.D. should exercise full control even if L.A. continues to pay. But G.D. may inform L.A. of any measures they may take.

Id. R.S.H.
4-7-42

I have talked with D.S. about this. L.D. would have no objection to granting any or all of the powers that G.D. wants if it can be done under the B.S.C.Rules. F.D. may be consulted.

In this particular case there was no question of sending Mr. Risbud to the Presidency Surgeon.

Id. R.S.H.
4-7-42

D.S.

Id. M.K.D.
4-7-42.

Secy., L.D.

I agree. G.D. should have full control over members of the staff deputed from L.D., provided such control is permissible under the B.C.S. Rules.

Id. P.M.M.
4-7-42.

Secy., G.D.

L.D.No. 281-Confl.,
7-7-42.

BKS. 29/5/ 4c.

Para.3 of the C.D. office note, dated 3-7-42

The facts are -

(1) that Mr.Risbud applied on 3-5-42 for fifteen days' earned leave on the grounds (a) that he was getting temperature every day and (b) that his doctor had advised him to take fifteen days' leave;

(2) that, therefore, he was asked to produce a medical certificate from his doctor to the effect that the leave asked for was necessary on grounds of health (in the ordinary course Mr.Risbud would not have been granted the leave he asked for except on grounds of health);

(3) that, in reply, Mr.Risbud produced on 7-5-42 a certificate from his doctor which recommended the grant of leave for only four days from 1-5-42;

(4) that, thereafter, Mr.Risbud still continued to remain absent although no leave had been sanctioned to him;and

(5) that I therefore suspected that he was malingering and directed him to appear before the Presidency Surgeon.

I still feel that, in the circumstances explained above, my action was fully justified.

It is interesting to mention in this connection that the Presidency Surgeon found himself unable to recommend leave to Mr.Risbud straightway and had to send him to the J.J. Hospital for observation. After three or four days' observation in the Hospital, the Presidency Surgeon simply certified him as fit for resumption for duty.

2. F.D. may be requested u.o. to advise whether there is any objection from the point of view of the B.C.S.Rs. to the proposal at

'A' on p.24 ante.

Id.K.B.K.
11-7-42.

F.D.

Finance Department.

Mr.Risbud, a reporter of the Legislative Assembly staff, is working in the Price Controller's office. His pay is drawn on the estabt. of the L.A. office. A question has been raised what control can G.D. exercise over him. The Asstt.R.L.A. has stated that L.D. would have no objection to granting any or all the powers that G.D. wants if it can be done under the B.C.S.Rs. The G.D. wants the advice of the F.D. on this point.

2. The B.C.S.Rs. deal with several matters e.g., pay, allowances, rents, honoraria and fees, travelling allowances, leave, pension etc. In all these matters a Govt. servant is subject to the control of the head of the Deptt. on whose estabt. he is borne. Since Mr.Risbud is a member of the L.A. office staff, he is subject to the control of the L.D. and the G.D. cannot exercise any control over him, except in consultation with the L.D. in the matters regulated by the B.C.S.Rs.

3. The G.D. has not specified what powers of control that Deptt. wants to have over Mr.Risbud . If these are specified, F.D. will consider them in the light of the B.C.S. Rs.

4. An alternative course will be to transfer Mr.Risbud temporarily to the G.D . In that case the G.D. will have administrative control over him. The G.D. may consider this point.

Id. D.H.D.
20-7-42.

D.S.(Services) 1. G.D. may consider para.4 of O.M. again.

2. In the matter of leave Secy.,L.D. may temporarily delegate to Secy.G.D., the power to grant leave, with the concurrence

of the F.D. It is for consideration whether this would be sufficient.

Id. V.B.R(aju)
20-7-42.

U.O.R. to C.D. dated 21-7-42.

The suggestion made in para.4 of the F.D.Office note overleaf is acceptable to this Deptt.

2. F.D. may see u.o.

Id. K.B.K.
23-7-42

U.O.R. to the F.D., dated 24-7-42.

Finance Department.

Submitted with reference to this Deptt. note ~~on~~ overleaf.

2. These papers may now be seen and returned to the C.D. It is presumed that the post Mr.Risbud is holding in the L.A. office will be held in abeyance and a post on the same scale of pay created in the C.D. for the period his services are required in the C.D.

Id.
25-7-42.

D.S.(Services) Id. V.B.R(aju)
27-7-42.

D.S.(Budget) Id. V.
28-7-42.

U.R. to C.D., dated 28-7-42.

C.D.

Submitted with reference to S.O's note dated 23-7-42. The presumption made in para.2 of the F.D. note dated 27-7-42 is correct. The post may be created for the period upto 31-10-42 as in other cases. Before this is done, the L.D. may see u.o.

~~in the~~ where holding the post in L.A.

of the F.D. It is for consideration whether this would be sufficient.

Id. V.B.R(aju)
20-7-42.

U.O.R. to G.D. dated 21-7-42.

The suggestion made in para.4 of the F.D.Office note overleaf is acceptable to this Deptt.

2. F.D. may see u.o.

Id. K.B.K.
23-7-42

U.O.R. to the F.D., dated 24-7-42.

Finance Department.

Submitted with reference to this Deptt. note ~~xx~~ overleaf.

2. These papers may now be seen and returned to the G.D. It is presumed that the post Mr.Risbud is holding in the L.A. office will be held in abeyance and a post on the same scale of pay created in the G.D. for the period his services are required in the G.D.

Id.
25-7-42.

D.S. (Services) Id. V.B.R(aju)
27-7-42.

D.S. (Budget) Id. V.
28-7-42.

U.R. to G.D., dated 28-7-42.

G.D.

Submitted with reference to S.O's note dated 23-7-42. The presumption made in para.2 of the F.D. note dated 27-7-42 is correct. The post may be created for the period upto 31-10-42 as in other cases. Before this is done, the L.D. may see u.o. as the orders holding the post in L.A.

office in abeyance will have to be issued by that Deptt.

Id. K.B.K.
6/8/42

U.O.R. to L.D. dated 8-8-42.

L.D.311-Confl.
10-8-42.

This may be seen and returned to C.D. after keeping copies of relevant notes. Orders holding the post in the L.A. office in abeyance will be issued separately.

Id. D.R.P.
13-8-42.

Supdt. Id. J.D.
15-8-42.

S.A.S. Id.S.B.P.
19-8-42.

A.L.R. Id. R.S.H.
19-8-42.

D.S. I This is satisfactory. U.R. to C.D. No. 6826

Secy. I Id. N.K.D. 19-8-42. dt. 20/8/42.

Id. P.N.M. 19-8-42.

Submitted after issue.

2. A draft memo. holding the post of a Reporter in abeyance is put up for approval. It may be shown to the C.D. U.O. for filling in the date from which the post is to be held in abeyance.

Sd/- D.R.P.
22-8-42.

Supdt. Sd/-J.D.
24/8

S.A.S. Sd/-S.B.P.
26/8

A.L.R. Is this sufficient? We seem to be in the habit of informing the A.G. that certain things are being done or certain things have been sanctioned but there are no independent orders. C.G. what would be taken of the A.G. asked to see the order.

D.S. has talked over this with me. The Memo may go.

Sd/- R.S.H. 26/8

to C.D.No.6926 dated 31-8-42.

BK3. 28/5/ 4c.

No. 7867

Legal Department.
Bombay Castle, 28th September 1942.

Subject:-Holding the post of one Reporter in abeyance in the Legislative Assembly and Legislative Council offices.

MEMORANDUM.

The undersigned presents compliments to the Accountant General, Bombay, and is directed to state that one of the posts of Reporters in the grade of Rs.150-10-300 created by Government Resolution , Legal Department No.6923, dated the 10th September 1938 and held by Mr. M.M.Risbud in the offices of the Legislative Assembly and Legislative Council is held in abeyance with effect from the 1st September 1942 upto 31st October 1942 inclusive.

By order of the Governor of Bombay,

Sd/- R.T.K.
for Secretary to the Government of Bombay
Legal Department.

To

The Accountant General, Bombay (through the Finance Department).

Copy to-

The Finance Department,
The General Department,
The Secretary , Bombay Legislative Assembly.

BKS. 28/5/.4c.

Legal Department

File No.

Sub No. 10059

Branch C/22-9-42.

Establishment.

Civil Supplies and Price Control Section.

Government of Bombay.
General Department.
Resolution No. 64.
Bombay Castle, 18th September 1942.

Resolution of Government.

Government is pleased to create for the Civil Supplies and Prices Section of the General Department a new post of Stenographer in the scale of Rs. 150-10-300 per mensem for the period from 1st September 1942 to 31st October 1942 and to appoint Mr. M.M. Risbud, a Reporter in the Legislative Assembly Office to hold it.

2. The cost on this account is debitable to the budget head "25-General Administration -K.-6-General and Educational Departments."

3. The source from which the cost during the current year should be met will be pointed out later.

By order of the Governor of Bombay,

K.B.Kamath,
For Secretary to Government.

To

The Accountant General, Bombay (through the Finance Department).,
The Finance Department,
The Legal Department,
The Secretary , Legislative Assembly Office.

BKS. 28/5/ 4c.

~~305~~ 311

Legal Department.
M.A.No. 9445, dated 31-8-42.

Submitted.

2. This is an application for commutation of part of his pension from Mr.K. Sitaraman, retired reporter of the Bombay Legislative Assembly. The application may be forwarded to F.D. for favourable consideration & necessary orders.

Sd/-
8/9

Supdt. Sd/-JD.
8/9

S.A.G. Sd/- G.B.P.
8/9

A.L.R. Sd/-R.S.H.
9/9

BKS. 28/5/ 4c.

Below application dated 3rd August 1942 from Mr.K.Sitaraman a former Reporter in the Bombay Legislative Assembly Office,

---

No. 637
Legislative Assembly Office,
Council Hall,
Bombay, 29th August 1942.

Forwarded with compliments to Government in the Finance Department for favourable consideration.

2. Mr.Sitaraman retired on invalid pension with effect from 16th April 1942.

3. The number of his pension payment order and exact amount of the pension sanctioned will be communicated as soon as it is received from the Accountant General's Office. Mr.Sitaraman will be drawing his pension from the Sub-Treasury at Nannilam, Tanjore District, Madras Presidency.

4. A certificate on the lines laid down in Government Resolution, Finance Department, No.4569(confl) dated the 7th April 1933 is also sent herewith.

Sd. S.K. Phadke,
For Secretary to the Bombay Legislative Assembly.

Through

The Secretary to Government , Legal Department.

No. 7297
Legal Department,
Bombay Castle, 11th September 1942.

Forwarded with compliments to Government in the Finance Department for favourable consideration and necessary orders.

By order of the Governor of Bombay,

Sd/= S.B.P.
For Secretary to
Government.

BKS. 28/5/ 4c.

Certified that MR. K.Sitaraman, late reporter in the Bombay Legislative Assembly office, who has applied for commutation, is not known to have been connected in the past with any undesirable activity.

Legislative Assembly Office,
Council Hall,
Bombay, August 1942.

Sd. S.K. Sheode,
For Secretary to the
Bombay Legislative
Assembly.

BKS. 28/5/ 4e.

No. 5599/33 /S.

Finance Department.

Bombay Castle, 22nd Septr. 1942.

Subject :- Pension Commutation:

Sitaraman, Mr. K., retired Reporter, Bombay Legislative Assembly.

Memorandum.

The undersigned presents compliments to the Secretary to the Government of Bombay, Legal Department and with reference to his endorsement No. 7297 dated 11th September 1942 , on the above subject, is directed to request that Mr. K. Sitaraman may be supplied with a copy of the accompanying report No.F.H.Mis.2/4418 dated 19th September 1942, from the A.C., Bombay, regarding the lump sum payable to him in commutation of Rs. 75/- out of his monthly invalid pension of Rs. 161-9-0 in the event of his being reported by the medical board to be a fit subject for commutation and that his attention may be drawn to B.C.S.R. Rs. 314 to 324 regarding commutation of pensions.

2. Arrangement may kindly be made for a meeting of the medical board for the examination of Mr. Sitaraman as early as possible within the period of three months mentioned in paragraph 3 below and that the requisite intimation regarding the time and place of the meeting of the board may be given to him direct in sufficient time. He should be asked to appear for medical examination before the medical ~~Rs~~ board as soon as possible. The medical board may be instructed to follow the instructions contained in B.C.S.R.321-II, III and VII.

3. Mr. Sitaraman may also be informed that if the medical examination does not take place before 5th October 1942 i.e. his next birthdate, the capitalised value mentioned in para. (a) of the accompanying report will be reduced and that the sum payable will be the sum mentioned in para. (b) of the accompanying report.

4. As Mr. Sitaraman was granted an invalid pension, the grounds of invaliding him or the statement

of his medical case should be communicated to the medical board before the certificate is signed by the board as required by B.C.S.R. 321-II(b).

5. The intimation contained in this Memorandum constitutes administrative sanction to the commutation but the sanction will lapse if the medical examination does not take place within the period of three months from the date of this memorandum as prescribed in the rules subject to the proviso to B.C.S.R.320(1).

By order of the Governor of Bombay,

Ed/- K.S. MEHTA.

Assistant Secretary to the Government of Bombay, Finance Department.

Accompaniment.- A copy of the report referred to.

Copies, together with copies of the accompaniment, to :-

(1) The A.G., Bombay with a request that the capitalised value admissible to the applicant may be paid to him on the receipt of a medical certificate of unimpaired life duly signed by the medical board and that the amount paid may be communicated to Government.

(2) The Applicant.

BKS. 28/5/ 40.

Report on the application of Mr. K.Sitaraman for commutation of Rs. 75/- out of his monthly invalid pension of Rs. 161-9-0 received with Finance Department unofficial note, dated 12-9-42 File No. 5599/35.

No. P. R. Mis. 2/4418. Accountant General's Office, Bombay, Bombay, the 19-9-1942.

The date of birth of Mr. K. Sitaraman being 5-10-1888, subject to the medical board, recommending commutation, the lump sum payable on commutation of Rs. 75/-.

(a) If the commutation becomes absolute before the applicants next birth day which falls on 5-10-1942 on the basis of normal age, i.e., 54 years, is Rs.(10422/-) Ten thousand four hundred and twenty two/- only. The sum payable will be a charge on-
Bombay Provincial Revenues, Voted Rs. 9221-12-0.
Simi Revenues, Voted. ,, 1200-4-0.
(b) If the commutation becomes absolute after the applicant's nxm next birth day but before his next birth day but one which falls on 5-10-1943 on the basis of normal age i.e. , 55 years is Rs.(10107/-) ~~Rsxxxxxxxpayxbhxxxd~~ Ten thousand one hundred and seven only. The sum payable will be a charge on -
Bombay Provincial Revenues, Voted ...Rs. 8943-0-0.
Simi Revenues, Voted. ,, 1164-0-0
(c) As Mr. K. Sitaraman has been granted an invalid pension, copies of the medical certificate or report invaliding him may be furnished to the Medical Board.
(d) Mr. K. Sitaraman retired as a Non-Gazetted Officer.

Sd/-
Asstt. Accounts Officer.

BKS. 28/5/ 4c.

Legal Department.

10149/24-9-1942.

Submitted.

2. This may in the first instance be shown U.O. to L.A. Office for compliance of with para 4 of F.D.Memo . on page 8 ante.

Sd/-S.B.P.
25/9

Supdt. Sd/-J.D.
25/9

S.A.S. Sd/-R.P K. 25/9

A.L.R. Sd/-H.S.H.
25/9

U.O.R. to L.A.Office no. 7785 dt. 25/9/42.

BKS. 28/5/ 46.

L.A.Office.

Submitted.

L.D. may be informed as under :-

Mr. Sitaraman had taken leave on average pay for four months with effect from 20th January 1941 due to extreme weakness with severe palpitation of the heart at the least exertion. He extended his leave on m.c. by another 4 months in continuation of 4 months leave on a.p. on the ground that he was suffering from chronic rheumatism and nervous debility.

He again extended his leave on m.c. by six months in continuation of the leave of 8 months on the ground that he was suffering from ~~xxx~~ peripheral neurites and general debility. The detailed medical history is as follows:-

The applicant has general weakness- increasing sense ~~f~~ of weakness in the right arm after some exertion - and his sense of hearing has definitely dimmed; his writers' cramp is still the same and I believe this requires prolonged rest especially since his resumption of duty will mean writing work for which he will not be able to do justice. All other systems normal.

On expiry of further 6 months leave on m.c. he produced another m.c. requesting that he may be permitted to retire on invalid pension. The m.c. ran as follows:-

Certified that I have carefully examined Mr.K.Sitaraman of the Legislative Assembly Office, Bombay. In my opinion, he is suffering from "Writer's cramp" and slight defect in hearing and therefore, I consider him to be completely and permanently incapacitated for further service in the deptt. to which he belongs, that is, Reporter, Legislative Assembly. He appears to be about 53 years of age.

Mr. Sitaraman was, therefore, asked to appear before the Standing Medical Board on the 16th April 1942. The copy of the report of the Medical Board is attached

BKS. 22/5/ 40.

herewith.

Ultimately he retired on invalid pension on 16-4-1942.

Sd/-
26/9

S.A. Sd/-
26/9

A.S. Sd/-
26/9

Secy. Sd/-
26/9

U.R. to L.D.No. 703, dt. the 26/9/42

Legal Department.

R.I.No.10149, d/28-9-42.

Submitted.

2. The L.A.Office has supplied the necessary information as required by para 4 of F.D. memo at p. 7 ante.

3. As per para 1 of the F.D. memo, the copy of the A.G's Report at p.9 ante, may be sent to Mr.K.Sitaraman.

4. As per paras 2 & 3 , the Collr. of Bombay, may be requested to arrange for a medical board for the examination of Mr.K.Sitaraman if possible before 5th Oct.1942.

5. A copy of the Report of the Medical Board invaliding Mr.Sitaraman may also be forwarded to the Collr. of Bombay, for communicating the same to the Medical Board as required by B.C.S.R.321-II(b). A copy of F.D. memo may also be sent to him for information.

6. Necessary memo & letter are put up for approval.

Sd/-
28/9/42.

Supdt. Sd/-J.D. 28/9 A.L.R.

S.A.S. Sd/-R.T.K. 29/9 Sd/-R.S.H. 29/9

Sd/-
29/9

BKS. 29/5/ 40.

Copy.

FORM OF MEDICAL CERTIFICATE IN INDIA.

Dated 16th April 1942.

Certified that we have carefully examined Mr.K.Sitaraman, son of of Krishna Swami a Reporter in the Bombay Legislative Assembly Office. His age is, by his own statement 54 years and by appearance about 54 years. We consider him to be completely and permanently incapacitated for further service of any kind in consequence of writers cramp. His incapacity appears to us to have been neither directly caused nor accelerated nor aggravated, by irregular or intemporate habits.

Sd.

M.D.Lond., Member Standing Medical Board.	Sd..... Major I.M.S. Member S.M.B.	Sd.... Lt.Col.I.M.S., President, Standing Medical Board.

BKS. 29/5/ 4c.

No.7936
Legal Department,
Bombay Castle, 30th September 42.

From

P.N.MOOS, Esquire, Bar-at-Law, I.C.S.,
Secretary to the Government of Bombay.

To

The Collector of Bombay.

Sir,

As required in Rule 666 of the Bombay Civil Services Rules, I have the honour to intimate to you that Mr.K.Sitaraman, a retired Reporter in the office of the Bombay Legislative Assembly, Bombay, has been allowed the commutation of Rs. 75/- out of his monthly pension of Rs.161-9-0 subject to his being reported by the Medical Board to be a fit subject and to request you to be so good as to arrange for the Assembly of the Medical Board if possible before 5th October 1942.

2. A copy of Government Memorandum, Finance Department, No.5599/33-F, dated the 22nd September 1942, together with a copy of the Report of the Medical Board invaliding him is sent herewith as per para 4 of the said Finance Department Memorandum.

3. The requisite intimation regarding the time and place of the meeting of the Medical Board may be given to Mr. K.Sitaraman direct in sufficient time at his address given below.

To

K.Sitaraman, Esquire,
Nallaman Gudi,
Via Mannilum,
S.I.Rly.

Your obedient servant,

Sd/- R.S.H.
For Secretary to Government.

Copy to -

BK3. 29/5/ 40. K.Sitaraman, Esquire,

No. 7937

Legal Department,
Bombay Castle, 30th September 1942.

MEMORANDUM.

With reference to para 1 of Government Memorandum, Finance Department, No.5599/33/F, dated the 22nd September 1942, a copy of Accountant General's report No. P.R.Mis.2/4418, dated the 19th September 1942 is herewith sent to Mr. K. Sitaraman.

By order of the Governor of Bombay,

Sd/- R.S.H.
For Secretary to Government.

To

K.Sitaraman, Esquire,
Nallaman Gudi,
via, Nannilum,
S.I.Rly.

Submitted

2. Necessary letter to the Collr. of B'bay & memo to Mr. Sitaraman are put up for approval & signature.

Sd/-
29/9

Supdt. Sd/- J.D.
29/9

S.A.S. Sd/- R.T.K.

A.L.R. Sd/-R.S.H.
29/9

KS. 29/5/ 4c.

Letter No.B.S.T./Medical.

IMMEDIATE: Collector's Office,
Bombay, 1st Oct. 1942.

To

The Superintendent,
J. J. Group of Hospitals,
BOMBAY.

Subject:- Medical Board for examination of Mr. K. Sitaraman, Pensioner for commutation of pension - B. C. S. Rules 666.

Please see letter No.7936 dated 30-9-1942 (with the copies of its accompaniments) from the Secretary to Government, Legal Department, Bombay (copy enclosed) and arrange to convene a Medical Committee for the examination of Mr. K. Sitaraman.

The place, date and time of the examination may be communicated direct to Mr. K. Sitaraman, as well as to the Secretary to Government, Legal Department, Bombay A copy of the communication may also be sent to my office.

The instructions contained in Bombay Civil Service Rules 321-II, III & VII may please be followed.

Accompt: Sd/- M. M. Heble,

For Collector of Bombay.

JD.1-10-42. No. E.S.T./Medical.

Bombay, 1st Oct. 1942.

Copy forwarded with compliments to the Secretary to Government , Legal Department, Bombay, for information.

Legal Department.

File No.

Sub No. 10487

Branch C/5-10-42. Sd/-
For Collector of Bombay.

BRS. 29/5/ 40.